

E-Filed 9/13/2010

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

RONALD A. LOCKE,

Plaintiff,

V.

MICHAEL J. ASTRUE, Commissioner of Social Security,

Defendant.

Case Number C 08-1608 JF (HRL)

**ORDER GRANTING DEFENDANT'S
MOTION TO DISMISS FOR LACK
OF SUBJECT MATTER
JURISDICTION**

[re: document no. 42]

On March 25, 2008, Plaintiff, proceeding *pro se*, filed the complaint in this action alleging wrongful denial of benefits by Defendant. Plaintiff subsequently filed a number of motions, including motions seeking: leave to file a brief [doc. no. 4], judicial notice [doc. no. 6], summary declaratory judgment [doc. no. 8], estoppel re multiple issues [doc. no. 11], hardship relief [doc. no. 12], medical records [doc. no. 14], summary judgment [doc. no. 24], an order striking response [doc. no. 25], summary declaratory judgment [doc. no. 29], entry of default and default judgment [doc. no. 34], findings of fact and conclusions of law [doc. no. 39], and leave to amend his brief [doc. nos. 49, 52]. Defendant has filed a motion to dismiss for lack of subject matter jurisdiction [doc. no. 42].

1 On May 12, 2009, the Court issued an order disposing of all pending motions except for
2 Defendant's motion to dismiss for lack of subject matter jurisdiction. The Court directed
3 Plaintiff to file any opposition on or before May 22, 2009. Plaintiff failed to file opposition and
4 in fact has not filed any documents in this case since May 2009. Defendant's motion is well-
5 taken and will be granted for the reasons stated therein.

6 **ORDER**

7 Defendant's motion to dismiss for lack of subject matter jurisdiction is GRANTED. The
8 Clerk of the Court shall close the file.

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11 DATED: 9/13/2010
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14 JEREMY FOGEL
15 United States District Judge
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1 Copies of Order served on:

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3 Theophous H Reagans , Jr theophous.reagans@ssa.gov

4 Ronald A. Locke
5 977 S. Bascom Avenue
6 San Jose, CA 95128

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